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29683 7590 11/27/2007 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER SYED, FARHAN M	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/645,687

Applicant(s)

SIMELIUS ET AL.

Examiner

Farhan M. Syed

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/27/07</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-22 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Celik (U.S. Patent Pub. 2004/0236792).

As per claims 1, 15, and 22, Celik teaches a method comprising: forming a data item (i.e. business contact information)(paragraph [0033]) for the first time (i.e. input information User 1 wishes to store in the database)(paragraph [0033]) in a first electronic device (i.e. User 1's PC), in response to said forming, providing to a user of the first electronic device a possibility to associate an existing grouping identifier with the formed data item (paragraph [0041]); in response to a situation in which the user associates said existing grouping identifier for the formed data item associating the formed data item with said existing grouping identifier, said existing grouping identifier being associable with at least one other data item (paragraph [0041]), in response to a situation in which the user does not want to use said existing grouping identifier for the formed data item (paragraphs [0041]-[0043]),

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obtaining a new grouping identifier and associating the formed data item with the new grouping identifier (paragraphs [0041]-[0043]), (i.e. business cards with ID)(see Figure 2B), selecting one of the following: said existing grouping identifier and the new grouping identifier, to be a selected grouping identifier, synchronizing said data items (i.e. business cards with ID) between said first electronic device (i.e. User 1's PC) and a second electronic device (i.e. User 2's PC) on the bases of said selected grouping identifier, said devices being capable of communication with each other (i.e. Request data for ID's in the synchronizer) (see Figure 2B).

As per claim 2, Celik teaches a method wherein each grouping identifier comprises at least one of the following: text, still picture, moving picture, sound or vibration effect (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

As per claim 3, Celik teaches a method wherein the new grouping identifier is formed by the user of the first electronic device or the new grouping identifier is retrieved from a network server (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

As per claims 4 and 16, Celik teaches a method wherein the method further comprises maintaining a register of at least one grouping identifier being associable to at least one data item stored into the memory of the first electronic device (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

As per claims 5 and 17, Celik teaches a method where said existing grouping identifier is manually selected from a register by the user of the first electronic device (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

As per claims 6 and 18, Celik teaches a method wherein said existing grouping identifier is automatically selected from the register by the first electronic device (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

As per claims 7 and 19, Celik teaches a method wherein the new grouping identifier is formed by a user of the first electronic device (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

As per claims 8 and 20, Celik teaches a method wherein the new grouping identifier is stored to the register of the first electronic device (Paragraphs [0041]-[0043]; [0063]-[0070]; [0076]-[0079]; and [0081]).

As per claims 9 and 21, Celik teaches a method wherein a user of the first electronic device selects the grouping identifier for the synchronization manually (Paragraphs [0041]-[0043]; [0063]-[0070]; [0076]-[0079]; and [0081]).

As per claim 10, Celik teaches a method wherein the first electronic device selects the selected grouping identifier for the synchronization automatically (Paragraphs [0041]-[0043]; [0063]-[0070]; [0076]-[0079]; and [0081]).

As per claim 11, Celik teaches a method wherein the first electronic device performs the synchronization periodically (Paragraphs [0041]-[0043]; [0063]-[0070]; [0076]-[0079]; and [0081]).

As per claim 12, Celik teaches a method wherein the selected grouping identifier comprises an icon to be visually presented to the user of the first device (Paragraphs [0041]-[0043]; [0063]-[0070]; [0076]-[0079]; and [0081]).

As per claim 13, Celik teaches a method wherein the selected grouping identifier further comprises text to be visually presented to the user of the first device (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

As per claim 14, Celik teaches a method wherein the selected grouping identifier further comprises information of those data items associated to said grouping identifier (Paragraphs [0041]-[0043]; [0076]-[0079]; and [0081]).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, 12-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alam et al (U.S. Patent No. 6,324,544 and known hereinafter as Alam) in view of Champagne et al (U.S. Patent Pub. No. 2005/0086199 and known hereinafter as Champagne).

As per claims 1, 15, and 22, Alam teaches a method, the method comprising; forming a data item for the first time into the first electronic device (i.e. *"Sync engine 36 on desktop 14 also includes a synchronization manager 148 coupled to an associated reference store 150 and also coupled to application programs, including PIM sync provider 152 and file sync provider 154."* The previous text clearly indicates that the associated reference store is the forming of a data item for the first time into the first electronic device, which is the desktop.)(column 9, paragraph 56-60); and synchronizing said data items between said first electronic device (i.e. mobile device or desktop computer) and a second electronic device (i.e. mobile device or desktop computer) on the bases of said selected grouping identifier (i.e. create handle/object mapping)(see Figure 7A), said devices being capable of communication with each other (i.e. *"In order to accomplish synchronization, synchronization components 24 and 36 run on mobile device 12 and desktop computer 14, respectively. The synchronization components communicate with application programs 16, 18, 28 and 30 (or directly with the associated object stores) through well defined interfaces (discussed in greater detail below) to manage communication and synchronization."*)(column 5, lines 28-34)

Alam does not explicitly teaches a method in response to said forming, providing to a user of the first electronic device a possibility to associate an existing grouping identifier with the formed data item; in response to a situation in which the user associates said existing grouping identifier for the formed data item, associating the formed data item with said existing grouping identifier, said existing grouping identifier

being associable with least one other data item, in response to a situation in which the user does not want to use said existing grouping identifier for the formed data item, obtaining a new grouping identifier and associating the formed data item with the new grouping identifier, selecting one of the following: the said existing grouping identifier and the new grouping identifier, to be a selected grouping identifier.

Champagne teaches a method in response to forming, providing to a user of the first electronic device a possibility to associate an existing grouping identifier with the formed data item; in response to a situation in which the user associates said existing grouping identifier for the formed data item (i.e. "The category of a field defines the type of information the field is designed or meant to contain." The preceding text clearly indicates that the formed data item is the type of information the field is designed or meant to contain and the identifier is the category.)(page 3, paragraph 36), associating the formed data item with said existing grouping identifier, said existing grouping identifier being associable with least one other data item (i.e. *"In other embodiments, the field identification protocol provides a list of field categories for a selected group of databases or for those databases designed to conform to the protocol."* The previous text clearly indicates that a list of field categories (identifiers) for grouping of data items, which are contained in the grouping of databases.)(page 3, paragraph 36), in response to a situation in which the user does not want to use said existing grouping identifier for the formed data item (page 1, paragraph 11), obtaining a new grouping identifier and associating the formed data item with the new grouping identifier (page 1, paragraph 11), selecting one of the following: the said existing grouping identifier and the new grouping identifier, to be a selected grouping identifier (page 1, paragraph 11) (i.e. *"In a third aspect, in order to transmit data between two databases, information identifying the record structure of one of the two databases is*



*transmitted to a computer program. This transmitted information identifies both the categories and the properties of a plurality of fields of the record structure of one of the two databases. Data stored in a plurality of fields of a plurality of the records of the first database is then transmitted from one of the two databases to the other one of the two databases. The transmitted data is then processed using the identifying information."* The preceding text clearly indicates that synchronizing data is transmitting data from the first electronic device, which is the first database, and second electronic device, which is the second database, based on the selected identifier, which is the identifying information.)(page 1, paragraph 11).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method in response to said forming, providing to a user of the first electronic device a possibility to associate an existing grouping identifier with the formed data item; in response to a situation in which the user associates said existing grouping identifier for the formed data item, associating the formed data item with said existing grouping identifier, said existing grouping identifier being associable with least one other data item, in response to a situation in which the user does not want to use said existing grouping identifier for the formed data item, obtaining a new grouping identifier and associating the formed data item with the new grouping identifier, selecting one of the following: the said existing grouping identifier and the new grouping identifier, to be a selected grouping identifier with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 2, Alam does not teach a method wherein each grouping identifier comprises at least one of the following: text, still picture, moving picture, sound or vibration effect.

Champagne teaches a method wherein each grouping identifier comprises at least one of the following: text, still picture, moving picture, sound or vibration effect (i.e. *"As mentioned, a field identification protocol provides a syntax for remote and host data transfer programs 22, 42 to communicate with one another the data structure of their respective databases. Such a syntax includes, for example, assigning to each field category a designation (for example, a numerical, alphabetical, or alphanumerical code or name) identifying that field category, such as "Addr" for address, "Tell" for the first telephone number, "Appt:date" for a date field of an appointment type record."* The preceding text clearly indicates that numerical, alphabetical, or alphanumerical code or name is a type of text.)(page 3, paragraph 42).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include wherein each grouping identifier comprises at least one of the following: text, still picture, moving picture, sound or vibration effect with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 3, Alam does not teach a method wherein the second grouping identifier is formed by the user of the first electronic device or the second grouping identifier is retrieved from a network server.

Champagne teaches a method wherein the second grouping identifier is formed by the user of the first electronic device or the second grouping identifier is retrieved

from a network server (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol."* The preceding text clearly indicates that an identifier such as appointments, "to do" lists, address books, etc., are formed by the user of the device when the user uses the PIM application.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method wherein the second grouping identifier is formed by the user of the first electronic device or the second grouping identifier is retrieved from a network server with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 4 and 16, Alam does not teach a method wherein the method further comprises maintaining a register of at least one grouping identifier being associable to at least one data item stored into the memory of the first electronic device.

Champagne teaches a method wherein the method further comprises maintaining a register of at least one grouping identifier being associable to at least one data item stored into the memory of the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field*

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*identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol.*" The preceding text clearly indicates that a personal information manager comprises of a plurality of data items associated to a plurality of identifiers.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, the method wherein the method further comprises maintaining a register of at least one grouping identifier being associable to at least one data item stored into the memory of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 5 and 17, Alam does not teach a method where the first grouping identifier is manually selected from the register by a user of the first electronic device.

Champagne teaches a method where the first grouping identifier is manually selected from the register by a user of the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol.*" The preceding text clearly indicates that a user may manually select

general notes, which is the identifier, from the register, which is a PIM application, and within the general notes contains data items, which are general notes records.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method where the first grouping identifier is manually selected from the register by a user of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 6 and 18, Alam does not explicitly teach a method wherein the first grouping identifier is automatically selected from the register by the first electronic device.

Champagne teaches a method wherein the first grouping identifier is automatically selected from the register by the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol."* The preceding text clearly indicates that the first electronic device may automatically data items associated with appointments, which is an identifier, from the register, which is the PIM application. That is, when a user sets up an appointment, by entering the date and time of the appointment, the user is notified by the electronic device when that date and time occurs.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method wherein the first grouping identifier is automatically selected from the register by the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 7 and 19, Alam does not teach a method wherein the second grouping identifier is formed by a user of the first electronic device.

Champagne teaches a method wherein the second grouping identifier is formed by a user of the first electronic device (i.e. *"The information identifying the record structure of one of the databases identifies the record structure according to a selected field identification protocol identifying the categories and properties of the fields in the record structure of that database."* The preceding text clearly indicates that a data item is contained within a record structure and is associated with an identifier, which are categories.)(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method wherein the second grouping identifier is formed by a user of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 8 and 20, Alam does not teach a method wherein the second grouping identifier is stored to the register of the first electronic device.

Champagne teaches a method wherein the second grouping identifier is stored to the register of the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol."* The preceding text clearly indicates that the created identifiers are appointments, 'to do' lists, address books, etc., and are stored to the register, which is the database.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method wherein the second grouping identifier is stored to the register of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 12, Alam teaches a method wherein the selected grouping identifier comprises an icon to be visually presented to the user of the first device (i.e. *"A user may enter commands and information into the desktop computer 14 through input devices such as a keyboard 40, pointing device 42 and microphone 43. Other input devices (not shown) may include a joystick, game pad, satellite dish, scanner, or the like. These and other input devices are often connected to the processing unit 62 through a serial port interface 46 that is coupled to the system bus 66, but may be connected by other interfaces, such as a sound card, a parallel port, game port or a universal serial bus (USB) A monitor 47 or other type of display device is also connected to the system bus 66 via an interface, such as a video adapter 48."* The preceding text clearly indicates that an icon is a type of

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command or information entered by a user and a monitor is a display device that allows the visually presentation.)(column 6, lines 54-66).

As per claim 13, Alam teaches a method wherein the selected grouping identifier further comprises text to be visually presented to the user of the first device (i.e. *"A user may enter commands and information into the desktop computer 14 through input devices such as a keyboard 40, pointing device 42 and microphone 43. Other input devices (not shown) may include a joystick, game pad, satellite dish, scanner, or the like. These and other input devices are often connected to the processing unit 62 through a serial port interface 46 that is coupled to the system bus 66, but may be connected by other interfaces, such as a sound card, a parallel port, game port or a universal serial bus (USB) A monitor 47 or other type of display device is also connected to the system bus 66 via an interface, such as a video adapter 48."* The preceding text clearly indicates that an text is a type of command or information entered by a user and a monitor is a display device that allows the visually presentation.)(column 6, lines 54-66).

As per claim 14, Alam does not teach a method wherein the selected grouping identifier further comprises information of those data items associated to said grouping identifier.

Champagne teaches a method wherein the selected grouping identifier further comprises information of those data items associated to said grouping identifier (i.e. *"A field identification protocol provides a syntax for identifying and communicating characteristics of a field of a database. It provides two types of information: information identifying a "category" for the field and information identifying a "property" of a field."* The preceding text clearly indicates that an identifier is a category and the information of those data items associated to the identifier is the properties.)(page 3, paragraph 35).



It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method wherein the selected grouping identifier further comprises information of those data items associated to said grouping identifier with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

6. Claims 9-11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alam et al (U.S. Patent No. 6,324,544 and known hereinafter as Alam) in view of Champagne et al (U.S. Patent Pub. No. 2005/0086199 and known hereinafter as Champagne) and in further view of Huskin (U.S. Patent No. 6,141,663).

As per claims 9 and 21, Alam and Champagne do not explicitly teach a method wherein a user of the first electronic device selects the grouping identifier for the synchronization manually.

Hunkins teaches a method wherein a user of the first electronic device selects the grouping identifier for the synchronization manually (i.e. *"Manual Update. Each of the databases containing redundant data can be viewed as islands of automation. Information that is common to all can be updated by manually entering the information into each of the separate databases. This is an extremely common method."* The previous text clearly indicates that synchronization occurs manually.)(column 2, lines 49-53).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne

and further with the teachings of Hunkins to include a method wherein a user of the first electronic device selects the grouping identifier for the synchronization manually with the motivation to efficiently overcome problems associated with synchronizing files.

(Alam, column 3, lines 18-19).

As per claim 10, Alam and Champagne do not explicitly teach method wherein the first electronic device selects the selected grouping identifier for the synchronization automatically.

Hunkins teaches a method wherein the first electronic device selects the selected grouping identifier for the synchronization automatically (i.e. *"It is an object of the present invention to allow redundant data to be updated automatically, without human intervention, in order to provide and preserve data integrity and synchronization."* The preceding text clearly indicates that synchronization occurs automatically.)(column 4, lines 12-16).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne and further with the teachings of Hunkins to include a method wherein the first electronic device selects the selected grouping identifier for the synchronization automatically with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 11, Alam and Champagne do not explicitly teach a method wherein the first electronic device performs the synchronization periodically.

Hunkins teaches a method wherein the first electronic device performs the synchronization periodically (i.e. *"When the scheduled time is reached, the preferred embodiment begins processing each Change Object one by one. Each Change Object is asked for its database references. With this information, all available Format files, like those listed in 1c are scanned to see if the changed data is also appearing in an outside data file. If it is, the external data file is located with the link file as shown 1e and the Format file is used to surgically update the external data file. Since the complete format is now known, this is a manageable problem. When the project file is completed and all Change Objects have been executed, all external data files are synchronized to the common database."* The preceding text clearly indicates that periodically is a schedule time.)(column 8, lines 6-18).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne and further with the teachings of Hunkins to include a method wherein the first electronic device performs the synchronization periodically with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

### ***Response to Remarks/Argument***

7. Applicant's arguments, see page 7, filed 17 September 2007, with respect to s 1, 15, and 22 have been fully considered and are persuasive. The 35 U.S.C. 112 (first paragraph) rejection of a non-final office action, mailed 29 June 2007, has been withdrawn.

8. Applicant's arguments filed 17 September 2007 have been fully considered but they are not persuasive for the reasons set forth below.

Applicant argues:

(1) "Since Celik, U.S. Published Patent Application No 2004/0236792, was not published until November 25, 2004, how can it be cited as a 35 U.S.C. 102(b) reference when the present application was filed on August 20, 2003?"

The Examiner refers to MPEP 707.02 [R3], Part V, titled "Determining the Effective Filing Date of the Application." The MPEP recites "If the application is a continuation or divisional of one or more earlier U.S. applications or international applications and if the requirements of 35 U.S.C. 120 and 365(c), respectively, have been satisfied, the effective filing date is the same as the earliest filing date in the line of continuation or divisional applications." Celik is a continuation-in-part of Application No. 10/657,757 which is a continuation of U.S. Patent 6,374,529 (App. No. 09/223,129), issued on 16 April 2002, and which claims priority from Provisional Application 60/102,614, filed 01 October 1998. Therefore, the earliest effective filing date is a 102(b) reference over the pending application. Furthermore, the Figures 1-8 contained in Celik (2004/0236792) contain the same subject matter as described in Figures 1-8 of Celik (U.S. Patent 6,374,259) and therefore is a bona fide prior art of record over the pending application.

(2) "What is the "grouping identifier" in these passages of Celik? What is the data item in Celik?"

The Examiner refers to Figures 1, 2A, and 2B. The grouping identifier is the unique user identifier and the data item is the personal information that is targeted to be synced as described in Figures 1, 2A, and 2B.

(3) "The disclosures of Alam and Champagne do not separately or as a combination lead a person skilled in the art to a solution that enables a user of an electronic device to form tailored grouping of data items and the solution recited in the proposed amended is not taught or made obvious by Alam and Champagne."

The Examiner disagrees. Alam discloses a file object synchronization between a desktop computer and a mobile device. Champagne teaches transferring records between two databases, where synchronization takes place between the host database with the remote database records. Combining the two references enables a user of an electronic device (i.e. mobile device) (See Alam; column 9, paragraph 56-60) to form tailored grouping of data items (i.e. *"In other embodiments, the field identification protocol provides a list of field categories for a selected group of databases or for those databases designed to conform to the protocol."* The previous text clearly indicates that a list of field categories (identifiers) for grouping of data items, which are contained in the grouping of databases.)(see Champagne; page 3, paragraph 36) with the motivation to efficiently overcome problems associated with synchronizing files (Alam, column 3, lines 18-19).

Hence, the Applicant's arguments do not distinguish over the claimed invention over the prior art of record.

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Any other arguments by the applicant are either more limiting than the claimed language or completely irrelevant.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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FMS

A handwritten signature in black ink, appearing to read 'Christian Chace', with a long horizontal line extending to the right.

CHRISTIAN CHACE  
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